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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHRISTOPHER FARAONE,

PLAINTIFF,

-against-

Case No:
13CV9074

THE CITY OF NEW YORK, THE POLICE DEPARTMENT
OF THE CITY OF NEW YORK, and Police Officers
JOHN DOE and JANE DOE "1" through "10",
said names being fictitious, it being the
intention to name all individuals involved
in the claims herein,

DEFENDANTS.

-----X

DATE: January 28, 2015

TIME: 2:47 p.m.

DEPOSITION of the Defendant, THE
POLICE DEPARTMENT OF THE CITY OF NEW YORK,
by a witness, CAPTAIN WILLIAM TAYLOR, taken
by the Plaintiff, pursuant to consent and
to the Federal Rules of Civil Procedure,
held at the offices of the New York City
Law Department, 100 Church Street, New
York, New York 10007, before Scott
Torrance, a Notary Public of the State of
New York.

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A P P E A R A N C E S:

MAYNARD, O'CONNOR SMITH & CATALINOTTO, LLP
Attorney for the Plaintiff
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Saugerties, New York 12477
BY: ADAM MANDELL, ESQ.

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Attorney for the Defendants
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New York, New York 10007
BY: SHEILA WEINSTEIN, ESQ.

* * *

1

2 F E D E R A L S T I P U L A T I O N S

3

4

5 IT IS HEREBY STIPULATED AND AGREED by and
6 between the counsel for the respective
7 parties herein that the sealing, filing and
8 certification of the within deposition be
9 waived; that the original of the deposition
10 may be signed and sworn to by the witness
11 before anyone authorized to administer an
12 oath, with the same effect as if signed
13 before a Judge of the Court; that an
14 unsigned copy of the deposition may be used
15 with the same force and effect as if signed
16 by the witness, 30 days after service of
17 the original & 1 copy of same upon counsel
18 for the witness.

19

20

21 IT IS FURTHER STIPULATED AND AGREED that
22 all objections except as to form, are
23 reserved to the time of trial.

24

25

* * * *

1 CAPT. WILLIAM TAYLOR

2 C A P T A I N . W I L L I A M

3 T A Y L O R, called as a witness, having
4 been first duly sworn by a Notary Public of
5 the State of New York, was examined and
6 testified as follows:

7 EXAMINATION BY

8 MR. MANDELL:

9 Q. Please state your name for the
10 record.

11 A. Captain William Taylor.

12 Q. Please state your address for
13 the record.

14 A. 1925 Bath Avenue, Brooklyn, New
15 York 11214.

16 Q. Good afternoon, Captain Taylor.
17 My name is Adam Mandell. I represent
18 Christopher Faraone. I'm just going to ask
19 you some questions this afternoon. It's
20 very important that you understand what I'm
21 asking. If you don't understand what I'm
22 asking, would you please let me know?

23 A. Yes.

24 Q. It's also very important that
25 all of your answers be out loud. If you

1 CAPT. WILLIAM TAYLOR

2 nod or shake your head, our reporter here
3 can't take that down, okay?

4 A. Okay.

5 Q. Also, if you could avoid saying
6 things like "uh-huh" or "uhn-uh." They
7 have a tendency not to come out clearly on
8 the record. If you do respond in that
9 manner, I might say, is that a yes or is
10 that a no? It's not because I'm trying to
11 tell what the correct answer is, I'm just
12 trying to clarify the record, all right?

13 A. Okay.

14 Q. I'd ask that at any point in
15 time, if you want to take a break, that's
16 fine. I just ask that you answer my
17 question first before we take that break.
18 Additionally, if you'd allow me to finish
19 asking my question first before you
20 respond. It makes his job a little bit
21 easier and it makes the record a lot
22 clearer.

23 A. All right.

24 MS. WEINSTEIN: And it allows
25 me to get my objection out.

1 CAPT. WILLIAM TAYLOR

2 THE WITNESS: Okay.

3 Q. All right.

4 MR. MANDELL: Counsel, will you
5 accept service on behalf of Captain
6 Taylor?

7 MS. WEINSTEIN: Yes, I will.

8 MR. MANDELL: Thank you very
9 much.

10 Q. Captain, did you review
11 anything in preparation for today?

12 A. I reviewed some video on
13 Monday, two days ago.

14 Q. Okay. How many videos; was it
15 one video, two --

16 A. I think two.

17 Q. Prior to reviewing those
18 videos, did you have any independent
19 recollection of the events on
20 September 17th, 2012?

21 A. No.

22 Q. After reviewing those records,
23 did -- excuse me, those videos, did that
24 refresh your recollection in any manner?

25 A. I saw myself in the video, but

1 CAPT. WILLIAM TAYLOR

2 it did not refresh my memory.

3 Q. Captain Taylor, I'm going to
4 bring you through a couple of questions
5 respecting the answer that you just gave.
6 Ultimately we're going to get to the video
7 itself, but just me doing my due diligence,
8 I have to ask you some background questions
9 as well.

10 A. Okay.

11 Q. Have you consumed any alcohol
12 or drugs in the last 24 hours?

13 A. No.

14 Q. Are you on any medications
15 today that would impair your ability to
16 testify?

17 MS. WEINSTEIN: Note my
18 objection.

19 You may answer.

20 A. No.

21 Q. Have you testified before, sir?

22 A. Yes.

23 Q. On how many occasions?

24 A. Twenty times, maybe.

25 Q. Of those approximately 20

1 CAPT. WILLIAM TAYLOR

2 times, on how many occasions has it been in
3 a civil proceeding?

4 MS. WEINSTEIN: Note my
5 objection.

6 You could answer.

7 A. Uh, I believe this is my second
8 time.

9 Q. Okay. When was your first
10 time?

11 A. Many years ago. At least ten
12 years ago.

13 Q. And the first time that you
14 testified at least ten years ago, was that
15 within the capacity of your employment as
16 an NYPD officer?

17 A. Yes.

18 Q. Do you recall the sum and
19 substance of that testimony?

20 A. No.

21 Q. Do you recall generally what it
22 was about?

23 A. No, other than it was a setting
24 like this with a stenographer. I don't
25 remember.

1 CAPT. WILLIAM TAYLOR

2 Q. Have you ever been a named
3 defendant in a civil lawsuit?

4 MS. WEINSTEIN: Do you
5 understand the question?

6 THE WITNESS: No.

7 A. Have I been the subject of a
8 court -- of --

9 Q. Let me --

10 MS. WEINSTEIN: Let him
11 rephrase it for you.

12 Q. I'll rephrase the question.

13 MS. WEINSTEIN: Off the record.

14 (Whereupon, a discussion was
15 held off the record.)

16 Q. To your knowledge, has your
17 name ever appeared in the caption of a
18 civil lawsuit?

19 A. In relation to my official
20 police duties.

21 Q. And how many occasions has that
22 happened?

23 A. Maybe three times.

24 Q. Okay. When was the first time
25 that that happened?

1 CAPT. WILLIAM TAYLOR

2 A. I don't remember.

3 Q. Can you approximate how long
4 ago it was?

5 A. Fifteen years ago.

6 Q. Okay. And the second time that
7 it happened?

8 A. Ten years ago.

9 Q. And the third time?

10 A. Um, I just got served with
11 papers the other day for an incident that
12 happened. I think -- I believe it was in
13 2006.

14 Q. Other than those three
15 occasions, any other times that you've been
16 named in a caption of a lawsuit?

17 A. No.

18 Q. Okay. The incident that you
19 think happened in around 2006, the most
20 recent incident, do you recall what the
21 subject matter of those claims are?

22 A. No.

23 Q. Have you ever given testimony
24 at a grievance hearing?

25 A. As far as I know, no.

1 CAPT. WILLIAM TAYLOR

2 Q. To your knowledge, have you
3 ever been the subject of an Internal
4 Affairs investigation?

5 MS. WEINSTEIN: I'm just going
6 to object and direct the witness not
7 to answer. He has not appeared in
8 any matter in which he was named that
9 applied to or incorporated the
10 allegations in this plaintiff's
11 complaint.

12 Q. What is your highest level of
13 education, please?

14 A. I have a master's degree.

15 Q. When did you obtain that?

16 A. 1997.

17 Q. And where from, please?

18 A. St. John's University.

19 Q. What was the subject matter of
20 your master's degree?

21 A. Accounting.

22 Q. Prior to obtaining your
23 master's degree, did you get an
24 undergraduate degree?

25 A. Yes.

1 CAPT. WILLIAM TAYLOR

2 Q. Where did you get that from?

3 A. St. John's.

4 Q. What year was that, please?

5 A. 1992.

6 Q. And did you have a particular

7 area of --

8 A. Accounting.

9 Q. -- study?

10 MS. WEINSTEIN: Please permit

11 him to get the whole question out.

12 THE WITNESS: Okay.

13 MS. WEINSTEIN: Thank you.

14 Q. We all do that. It's

15 conversation.

16 MS. WEINSTEIN: It's human

17 nature.

18 MR. MANDELL: Yes.

19 Q. Other than the master's degree
20 and the undergraduate degree in accounting,
21 any other continuing professional education
22 that you've obtained?

23 A. No.

24 Q. Online courses, anything like
25 that?

1 CAPT. WILLIAM TAYLOR

2 A. No.

3 Q. Have you ever served in the
4 military?

5 A. No.

6 Q. Did there come a point in time
7 when you became a police officer?

8 A. Yes.

9 Q. When was that, please?

10 A. January 30th, 1995.

11 Q. Did you first become a police
12 officer with the New York Police Department
13 or someone else -- something else?

14 A. No, this police department.

15 Q. Okay.

16 A. I was a city sheriff before
17 that, before that date, from -- from
18 October of 1992.

19 MS. WEINSTEIN: Please don't
20 volunteer information. Just answer
21 what's directly asked.

22 THE WITNESS: Okay.

23 Q. What training, if any, did you
24 receive in order to become a city sheriff?

25 A. I don't remember.

1 CAPT. WILLIAM TAYLOR

2 Q. Did you have to go to an
3 academy?

4 A. Uh, a brief academy. It wasn't
5 long. It was only a few weeks, as I
6 recall.

7 Q. Do you recall anything about
8 the training you received to become a city
9 sheriff?

10 A. No.

11 Q. I believe you testified that
12 you became a police officer with NYPD in
13 January of 1995?

14 A. Yes.

15 MS. WEINSTEIN: That's correct.

16 Q. Okay. What training, if any,
17 did you receive to become a police officer
18 with the New York Police Department?

19 A. I spent six months in the
20 police academy.

21 Q. Okay. What training did you
22 receive regarding taking people into
23 custody?

24 A. Um --

25 MS. WEINSTEIN: Do you

1 CAPT. WILLIAM TAYLOR

2 understand the question?

3 THE WITNESS: I don't

4 understand the question.

5 Q. Let me see if I could rephrase
6 it.

7 When you were being trained to
8 become a police officer, were you
9 instructed how to take a person into
10 custody?

11 A. I would have to say yes.

12 Q. Okay. Do you recall what that
13 instruction was?

14 A. No.

15 Q. When you were training to
16 become a police officer, were you trained
17 on the grounds of when you could arrest
18 someone?

19 A. Yes.

20 Q. Do you recall what that
21 training is?

22 A. Probable cause, that an offense
23 was committed.

24 Q. What is your understanding of
25 what probable cause means?

1 CAPT. WILLIAM TAYLOR

2 A. Um --

3 MS. WEINSTEIN: Just note my
4 objection. Lacking a foundation.

5 You could answer over
6 objection.

7 A. Probable cause is, uh, that you
8 have a reasonable cause to believe that the
9 person committed the offense.

10 Q. When you were training to
11 become a police officer, did you receive
12 any training regarding interactions with
13 members of the press?

14 A. I do not believe so.

15 Q. When you were training to
16 become a police officer, did you receive
17 any training regarding policing public
18 demonstrations?

19 A. No.

20 Q. When you were training to
21 become a police officer, did you receive
22 any training regarding the use of force in
23 taking a person into custody?

24 A. Yes.

25 Q. What training did you receive

1 CAPT. WILLIAM TAYLOR

2 regarding the use of force?

3 A. The minimal amount of force
4 necessary to effect the arrest.

5 Q. What training, if any, did you
6 receive in becoming a police officer
7 regarding the use of searches?

8 A. Um, I was trained that when a
9 person is arrested they're arrested,
10 they're searched. An initial search at the
11 scene and a more thorough search back at
12 the stationhouse.

13 Q. Were you trained in what manner
14 a person is searched at the scene?

15 A. Yes.

16 Q. And how is a person searched at
17 the scene?

18 A. A pat-down of the body.

19 Q. What are you trained to look
20 for when you're doing a pat-down of the
21 body?

22 A. After an arrest is made, any
23 property on the person, any, uh -- anything
24 that would -- anything that's on -- that's
25 on the person.

1 CAPT. WILLIAM TAYLOR

2 Q. I don't mean to misquote your
3 testimony, but I think you said a more
4 thorough search is done when he get to the
5 precinct; is that correct? Something to
6 that effect?

7 A. Yeah, yeah.

8 Q. What training, if any, did you
9 receive regarding doing the more thorough
10 search back at the precinct?

11 A. Well, the field search is just
12 to make sure there's no weapons or anything
13 like that to -- prior to the transport; and
14 then, once back at the stationhouse, a more
15 thorough search is done; how much money
16 they have, whatever belongings they have,
17 jewelry, stuff like that.

18 Q. In what manner is that done?

19 A. Go through all the pockets.

20 Q. What training did you receive
21 in becoming a police officer with respect
22 to strip searches?

23 MS. WEINSTEIN: Just note my
24 objection. Lacking a foundation.

25 If you understand you could

1 CAPT. WILLIAM TAYLOR

2 Q. In becoming a New York Police
3 Department officer, were you trained
4 regarding the rights of persons taken into
5 custody?

6 A. Yes.

7 Q. What training did you receive
8 with respect to the rights of persons taken
9 into custody?

10 A. I don't recall.

11 Q. When you first started with the
12 New York Police Department, what was your
13 initial status when you were hired? Were
14 you an officer?

15 A. Police officer.

16 Q. Did there come a point in time
17 when you received a promotion?

18 A. Yes.

19 Q. When was that, please?

20 A. May of 1999.

21 Q. And what promotion did you
22 receive at that time?

23 A. Detective.

24 Q. Did you have to take an exam
25 for that promotion?

1 CAPT. WILLIAM TAYLOR

2 A. No.

3 Q. Following becoming a detective,
4 did you receive another promotion?

5 A. Yes.

6 Q. When was that, please?

7 A. June of 2000.

8 Q. And what rank did you attain at
9 that time?

10 A. Sergeant.

11 Q. Did you have to take an exam to
12 become a sergeant?

13 A. Yes.

14 Q. And how many occasions did you
15 take that exam?

16 A. Once.

17 Q. Following becoming a sergeant,
18 did you receive a promotion at that time,
19 following becoming a sergeant?

20 A. Yes.

21 Q. When did you receive your next
22 promotion?

23 A. December of 2003.

24 Q. And what rank did you attain at
25 that time?

1 CAPT. WILLIAM TAYLOR

2 A. Lieutenant.

3 Q. Did you have to take an exam to
4 become a lieutenant?

5 A. Yes.

6 Q. On how many occasions did you
7 take that exam?

8 A. Once.

9 Q. Following becoming a lieutenant
10 in 2003, did you receive any other
11 promotions?

12 A. Yes.

13 Q. And when did you next receive a
14 promotion?

15 A. December of 2008.

16 Q. What promotion did you receive
17 at that time?

18 A. Captain.

19 Q. Is that the rank you currently
20 hold?

21 A. Yes.

22 Q. Other than what you've already
23 told me about, have you received any
24 additional training as a police officer?

25 A. No.

1 CAPT. WILLIAM TAYLOR

2 Q. Is there any continuing
3 professional development? Once you become
4 a police officer, do they have trainings?

5 A. I've gone to training classes,
6 yeah.

7 Q. What training classes have you
8 attended since becoming a police officer?

9 A. I've gone to the homicide
10 course, the criminal investigation's
11 course, obviously firearms qualifications
12 two times a year. There's courses given
13 after every promotion. Other than that, I
14 can't think of anything else.

15 Q. Are there other courses that
16 you took that you're currently not
17 remembering?

18 A. If there are, it's very few.

19 Q. Okay. I'm sure your attorney
20 will tell you this later, but following
21 this transcript being issued they'll be
22 a -- what's called an errata sheet which
23 will give you the opportunity to correct
24 your testimony. We'll leave a blank in the
25 testimony -- the transcript here, and if

1 CAPT. WILLIAM TAYLOR

2 you think of any other courses that you
3 took, you could fill them in at a later
4 time, okay?

5 A. Okay.

6

7

8 Q. Did you receive any training
9 regarding interacting with members of the
10 press?

11 A. No. Not that I recall.

12 Q. Any other training relevant to
13 your performances -- the performance of
14 your duties as a police officer, that we
15 haven't already discussed?

16 A. Not that I could think of, no.

17 Q. Were you working for the

18 New York Police Department on

19 September 17th, 2012?

20 A. Yes.

21 Q. When did you start working on
22 that day?

23 A. I don't know.

24 MR. MANDELL: Off the record.

25 (Whereupon, a discussion was

1 CAPT. WILLIAM TAYLOR

2 held off the record.)

3 Q. Captain, do you remember
4 whether it was morning, afternoon or
5 something else, when you first started
6 working on September --

7 A. No. I would say it was the
8 morning.

9 Q. Please allow me to finish
10 asking the question before you answer. It
11 makes his job easier. Thank you.

12 Did there come a point in time
13 on September 17th, 2012, when you went to
14 lower Manhattan in the area of One Chase
15 Manhattan Plaza?

16 A. Yes.

17 Q. Okay. Do you know
18 approximately what time it was that you
19 went into that general area?

20 A. No.

21 Q. Was there a reason that you
22 went to that area; were you ordered to or
23 did you go on your own or something else?

24 A. I was ordered to go there.

25 Q. Who ordered you to go there?

1 CAPT. WILLIAM TAYLOR

2 A. I don't know.

3 Q. Do you generally receive your
4 orders from one individual or multiple
5 individuals or something else?

6 A. Multiple individuals.

7 Q. When you first arrived in the
8 area of One Chase Manhattan Plaza, what did
9 you observe?

10 A. I don't recall.

11 Q. Do you recall seeing a crowd of
12 protesters there?

13 MS. WEINSTEIN: Just note my
14 objection to the form.

15 You could answer if you
16 understand.

17 A. My only recollection of that
18 day is what was shown to me on Monday on
19 the video.

20 Q. Okay. So, the video refreshed
21 your recollection and that's the extent of
22 what you remember?

23 A. Uh, the video showed me that I
24 was there. It did not refresh my
25 recollection.

1 CAPT. WILLIAM TAYLOR

2 Q. We'll get to the video in a
3 second.

4 Generally speaking, do you have
5 any recollection of September 17th, 2012,
6 that there were protesters in the vicinity
7 of One Chase Manhattan Plaza?

8 A. My recollection is -- I recall
9 from viewing the video.

10 Q. You recall the appearance of
11 the protesters, generally speaking, at One
12 Chase Manhattan Plaza?

13 A. Yes.

14 Q. Were they carrying placards?

15 A. I don't recall.

16 Q. Were they wearing any
17 particular uniform or common clothing that
18 showed you that they were a group of
19 people?

20 MS. WEINSTEIN: Objection to
21 the form.

22 If you understand it, you could
23 answer.

24 A. I don't recall.

25 Q. Do you recall seeing a group of

1 CAPT. WILLIAM TAYLOR

2 protesters all wearing a similar hat that
3 looked like a Robinhood hat?

4 MS. WEINSTEIN: Objection to
5 the form.

6 A. No.

7 Q. Do you recall there being other
8 civilians in the vicinity of the One Chase
9 Manhattan Plaza that were not in the mass
10 of protesters?

11 A. No.

12 Q. When you first arrived in the
13 vicinity of One Chase Manhattan Plaza, do
14 you recall where you physically were
15 located; were you on the sidewalk, the
16 street, something else?

17 A. I don't recall.

18 Q. When you received your orders
19 to go to the vicinity of One Chase
20 Manhattan Plaza, did you have any
21 understanding of why you were going to that
22 area?

23 A. Yes.

24 Q. What was your understanding?

25 A. To make sure the protesters,

1 CAPT. WILLIAM TAYLOR

2 based in an orderly manner, did not
3 obstruct vehicle or pedestrian traffic.

4 Q. Did you anticipate that there
5 would be persons, other than protesters, in
6 the vicinity of One Chase Manhattan Plaza?

7 A. No.

8 Q. Did you anticipate that there'd
9 be pedestrian traffic in the area of One
10 Chase Manhattan Plaza?

11 A. I never thought about it.

12 Q. Did you anticipate that there'd
13 be members of the media in the vicinity of
14 One Chase Manhattan Plaza?

15 A. No.

16 Q. Prior to September 17th, 2012,
17 had you covered -- excuse me, had you been
18 ordered to police Occupy Wall Street
19 protests in the past?

20 A. Yes.

21 Q. On the occasions that you had
22 policed Occupy Wall Street protests before
23 September 17th, 2012, did you observe
24 members of the media present on the
25 periphery of those protests?

1 CAPT. WILLIAM TAYLOR

2 A. Yes.

3 Q. On the occasions prior to
4 September 17th, 2012, when you policed
5 Occupy Wall Street protests, did you
6 observe civilians, other than protesters,
7 in the vicinity of those protests?

8 MS. WEINSTEIN: May I hear the
9 question back, please?

10 (Whereupon, the referred to
11 portion of the record was read back
12 by the reporter.)

13 MS. WEINSTEIN: Okay. I'm
14 going to object to the form of the
15 question.

16 If you understand, you may
17 answer.

18 A. No.

19 Q. You didn't observe or you don't
20 understand?

21 A. I don't recall. I do not
22 recall.

23 Q. Prior to September 17th, 2012,
24 when you policed Occupy Wall Street
25 protests, how would you differentiate

1 CAPT. WILLIAM TAYLOR

2 protesters from members of the media?

3 MS. WEINSTEIN: Objection.

4 Form. You're lacking a foundation.

5 You're assuming --

6 MR. MANDELL: He just testified
7 that prior occasions he observed
8 protesters, as well as members of the
9 media. I'm asking him how he
10 differentiated between the two on
11 those prior occasions.

12 MS. WEINSTEIN: You're not
13 letting me make my objection.

14 MR. MANDELL: I'm sorry. I
15 thought you were done.

16 MS. WEINSTEIN: My objection is
17 not whether he did it, it's how he
18 did it, and he's not had any
19 testimony to say that he consciously
20 differentiated between protesters and
21 members of the media, and if we could
22 just hear your question back.

23 MR. MANDELL: Okay.

24 (Whereupon, the referred to
25 portion was read back by the

1 CAPT. WILLIAM TAYLOR

2 reporter.)

3 MS. NAMVAR: So, not your prior
4 question, but two questions back in
5 response, the answer was no.

6 MR. MANDELL: Okay.

7 THE WITNESS: The answer was
8 yes.

9 MR. MANDELL: The answer was
10 yes.

11 MS. WEINSTEIN: Okay. I don't
12 understand that, but go ahead.

13 Q. Okay. Do you need the last
14 question?

15 A. No.

16 The members of the media had
17 credentials on them, on their, uh, on
18 lanyards and your their neck.

19 Q. So, the credentials is how you
20 differentiate it?

21 A. Yes.

22 Q. Is there any other
23 characteristic of a protestor that you
24 would differentiate them from members of
25 the general public or press, or anyone else

1 CAPT. WILLIAM TAYLOR

2 for that matter?

3 A. No.

4 Q. So, it wouldn't matter if they
5 were carrying a placard?

6 A. Well, that might be a factor.

7 Q. And if they're wearing a sign
8 on their body?

9 MS. WEINSTEIN: I'm just going
10 to object. You're asking a
11 hypothetical now and I direct the
12 witness not to answer.

13 MR. MANDELL: Okay. I'll ask
14 it a different way.

15 Q. In assessing whether a person
16 was a protestor on prior occasions while
17 policing Occupy Wall Street protests, would
18 you observe whether the person was carrying
19 a placard to determine whether or not they
20 were a protestor?

21 A. That would be one way.

22 Q. Okay. What are the other ways
23 that you would differentiate whether
24 someone was a protestor or not?

25 A. Well, if they were marching

1 CAPT. WILLIAM TAYLOR

2 with the crowd, if they were going with the
3 crowd in whatever direction the crowd was
4 going as oppose to just walking by.

5 Q. Okay. Any other factors?

6 A. No.

7 Q. On those prior occasions, did
8 you take into account the clothing that the
9 individual was wearing?

10 A. No.

11 Q. On those prior occasions that
12 you policed Occupy Wall Street protests,
13 did you ever observe that protesters were
14 dressed in a similar fashion?

15 A. Not that I recall.

16 Q. On the prior occasions that you
17 policed Occupy Wall Street protests, did
18 you observe the conduct of protesters?

19 A. Yes.

20 Q. Was there any way in which the
21 conduct of protesters, on the prior
22 occasions that you policed Occupy Wall
23 Street protests, differentiated them from
24 other civilians in the vicinity?

25 A. The behavior of certain people

1 CAPT. WILLIAM TAYLOR

2 differentiated them.

3 Q. Okay. What were some of those
4 behaviors, please?

5 A. I don't recall now.

6 Q. Was shouting or chanting one of
7 those behaviors?

8 A. Yes.

9 Q. Was yelling at police officers
10 one of those behaviors?

11 A. Yes.

12 Q. Was yelling at banks one of
13 your those behaviors?

14 A. Yes.

15 Q. Prior to September 17th, 2012,
16 did you receive any internal memorandum
17 regarding Occupy Wall Street protests?

18 A. No.

19 Q. Prior to September 17th, 2012,
20 did you receive any memorandum regarding
21 interactions with the press?

22 A. No.

23 Q. Before September 17th, 2012,
24 were you personally involved in the arrest
25 of any journalists related to Occupy Wall

1 CAPT. WILLIAM TAYLOR

2 Street protests?

3 A. No.

4 Q. Before September 17th, 2012,
5 are you aware of any prior arrests of
6 reporters covering Occupy Wall Street
7 protests?

8 A. No.

9 Q. Did there come a point in time
10 when you became personally involved in
11 Mr. Faraone being taken into custody by the
12 New York Police Department?

13 MS. WEINSTEIN: Objection as to
14 form.

15 You could answer.

16 A. Yes.

17 Q. When was that?

18 A. On that date in question,
19 whatever date we're talking about,
20 September --

21 Q. September 17th?

22 A. Right.

23 Q. Do you recall in what manner
24 you became involved in taking Mr. Faraone
25 into custody?

1 CAPT. WILLIAM TAYLOR

2 A. Um, my only recollection is
3 what I saw in the video two days ago.

4 Q. Okay. Leading up to the time
5 that you became involved in taking
6 Mr. Faraone into custody, did you receive
7 any order or orders from anyone directing
8 you to do so?

9 A. Well, let me make this clear.
10 I never took Mr. Faraone into custody.

11 Q. Okay. What involvement, if
12 any, did you have then with respect to --

13 A. I had no involvement. I was
14 reading the orders over the bullhorn to --
15 for people to, uh, not block the sidewalk.
16 Whatever the statute was. I had a -- a
17 card with me of the disorderly conduct
18 provision that I was reading over a
19 bullhorn.

20 Q. Okay. And do you still have a
21 copy of that card?

22 A. I do not.

23 Q. Who provided you with that
24 card?

25 A. I don't remember.

1 CAPT. WILLIAM TAYLOR

2 Q. Okay. Do you know when they
3 provided you with that card?

4 A. No.

5 Q. On September 17th, 2012, on how
6 many occasions did you read that card into
7 the bullhorn?

8 A. My only recollection would be
9 what I saw on the video. I believe I -- I
10 believe I did it about five times, that I
11 saw, if memory serves me right.

12 Q. Captain, where were you
13 physically located the first time you read
14 that card into the bullhorn?

15 A. I don't recall.

16 Q. And my question could have been
17 a little bit better.

18 Do you know whether you were in
19 the street, on the sidewalk or something
20 else?

21 A. I don't know.

22 Q. Do you remember which way you
23 were facing; were you facing Chase,
24 somewhere else?

25 A. I don't know.

1 CAPT. WILLIAM TAYLOR

2 MS. WEINSTEIN: Objection to
3 the form.

4 Q. Was there an individual or
5 individuals that -- the first time that you
6 read the card into the bullhorn that that
7 order was directed to?

8 A. Could you repeat that, please?

9 Q. I'll rephrase it.

10 Who were you reading the card
11 to over the bullhorn?

12 A. To the protesters that were
13 present at the location.

14 Q. Do you recall on the first
15 occasion that you read the order through
16 the bullhorn, where the protesters were
17 located?

18 A. No.

19 Q. Do you recall what response, if
20 any, occurred after you read the first
21 order over the bullhorn?

22 A. No.

23 Q. Anything else about the first
24 time you read the order over the bullhorn,
25 that you recall?

1 CAPT. WILLIAM TAYLOR

2 A. No.

3 Q. Do you know where you were the
4 second time you read the order over the
5 bullhorn?

6 A. No.

7 Q. Do you know who that order was
8 directed to?

9 A. The protesters that were
10 present.

11 Q. I'll save you the time of going
12 through all five. Is it going to be your
13 testimony that on each occasion that you
14 read the order over the bullhorn, it was
15 directed towards protesters?

16 A. Yes.

17 Q. Do you recall what Mr. Faraone
18 looks like?

19 A. No.

20 Q. Do you know what ethnicity he
21 is?

22 A. No.

23 Q. Do you know whether or not he
24 was carrying a placard?

25 A. No.

1 CAPT. WILLIAM TAYLOR

2 Q. Do you know if he was wearing
3 any sort of protesting costume?

4 A. No.

5 Q. You don't know or he wasn't?

6 A. I don't know.

7 Q. Do you know whether or not he
8 was shouting or chanting?

9 A. I don't know.

10 Q. Do you know where Mr. Faraone
11 was located in the moments before taken
12 into police custody?

13 A. No.

14 Q. At any point in time did you
15 personally perform a search of Mr. Faraone?

16 A. No.

17 Q. At any point in time did you
18 administer a field test to determine
19 whether he was under the influence of any
20 drugs?

21 A. No.

22 Q. Did you personally observe
23 Mr. Faraone being taken into custody?

24 A. I don't know.

25 Q. Do you have any recollection of

1 CAPT. WILLIAM TAYLOR

2 him being taken into custody?

3 A. No.

4 Q. Do you have any recollection of
5 whether any amount of force was used in
6 taking Mr. Faraone into custody?

7 A. No.

8 Q. You have no recollection or --

9 A. No recollection.

10 Q. Do you know what New York
11 Police Department officer or officers took
12 Mr. Faraone into custody?

13 A. Based on viewing the video, I
14 believe it was Captain Redmond.

15 Q. Could you spell the last --

16 A. I believe it's R-e-d-m-o-n-d.

17 Q. Anyone else that you -- you
18 recognize as being a person that took
19 Mr. Faraone into custody?

20 A. No.

21 Q. Did you see Mr. Faraone being
22 brought to the ground?

23 A. I don't recall.

24 Q. Did you see Mr. Faraone resist
25 arrest?

1 CAPT. WILLIAM TAYLOR

2 A. I don't recall.

3 Q. Did you see Mr. Faraone attempt
4 to flee?

5 A. I don't remember.

6 Q. Do you know whether Mr. Faraone
7 was found to have any type of weapon on
8 him?

9 A. I don't know.

10 Q. Did you see Mr. Faraone leave
11 the vicinity of One Chase Manhattan Plaza?

12 A. I don't recall.

13 Q. Do you recall whether or not he
14 walked on his own or he was carried or
15 something else?

16 A. I do not recall.

17 Q. Did you prepare any
18 documentation regarding the arrest of
19 Mr. Faraone?

20 A. No.

21 Q. Did you prepare any charges
22 against Mr. Faraone?

23 A. No.

24 Q. Without identifying the
25 individual's name, are you aware of any

1 CAPT. WILLIAM TAYLOR

2 additional individuals who were arrested in
3 the immediate vicinity of where Mr. Faraone
4 was?

5 A. No.

6 Q. Did you hear anything said by
7 other New York Police Department officers
8 to Mr. Faraone when he was taken into
9 custody?

10 A. No.

11 Q. At any point in time did you
12 hear Mr. Faraone identify himself as a
13 member of the media?

14 A. I don't recall.

15 Q. Are you aware of any action
16 that was taken with respect to Mr. Faraone
17 identifying himself as a member of the
18 media?

19 A. No.

20 Q. Are you aware of any other
21 members of the media being arrested during
22 the Occupy Wall Street protest on
23 September 17th, 2012?

24 A. No.

25 Q. Did you escort Mr. Faraone from

1 CAPT. WILLIAM TAYLOR

2 the vicinity of One Chase Manhattan Plaza?

3 A. No.

4 Q. Did you load him into the
5 patrol wagon?

6 A. No.

7 Q. Once arriving at the precinct,
8 did you have any further involvement with
9 Mr. Faraone?

10 A. I never went to the precinct.

11 Q. I'm sorry. That was a poorly
12 asked question on my part.

13 After Mr. Faraone arrived at
14 the precinct, did you have any further
15 involvement -- or what involvement, if any,
16 did you have?

17 A. None.

18 Q. Okay.

19 MR. MANDELL: Off the record
20 for a minute.

21 (Whereupon, a discussion was
22 held off the record.)

23 Q. At any point in time while
24 Mr. Faraone was being taken into custody,
25 did you hear him ask to call his attorney?

1 CAPT. WILLIAM TAYLOR

2 A. I do not recall.

3 Q. At any point in time did you
4 see Mr. Faraone obstructing traffic in the
5 vicinity of One Chase Manhattan Plaza?

6 A. I don't recall.

7 Q. At any point in time did you
8 observe Mr. Faraone refusing to move on
9 after an order to do so was given?

10 A. I don't recall.

11 Q. Captain, I'm going to show you
12 what we've been using during these
13 depositions. For identification we've
14 identified it as video 4358, which is the
15 last four digits of the digital file that
16 it is. What I'm going to do is, I'm going
17 to come around to the same side as you, if
18 that's all right.

19 MS. WEINSTEIN: You could make
20 it that the two of you could see and
21 I could stand.

22 Q. Can you see?

23 A. I could see fine.

24 Q. What we're going to do,
25 Captain, is I'm going to let it play

1 CAPT. WILLIAM TAYLOR

2 through once first and ask you to watch it
3 just to re-familiarize yourself with it.

4 A. Uh-huh.

5 Q. And then the second time
6 through I'm going to stop it at various
7 points and ask you some questions, all
8 right?

9 A. Okay.

10 Q. It's at -- almost at the
11 beginning. It's at 01 seconds, but it's
12 just a lead-in, all right?

13 MR. MANDELL: And I'll note for
14 counsel that I'm turning up the
15 volume here.

16 MS. WEINSTEIN: Thank you.

17 Q. If you can't see or hear, would
18 you please let me know?

19 A. Yes.

20 Q. All right. You ready, sir?

21 A. Yes. I'd like it a little
22 louder than that.

23 Q. Let me turn it up. And this
24 first time through you're just going to be
25 watching and re-familiarizing yourself; the

1 CAPT. WILLIAM TAYLOR

2 second time I'll ask you questions.

3 (Whereupon, there was a brief
4 pause in testimony.)

5 Q. Captain, after watching the
6 video that's been identified as 4358, does
7 that refresh your recollection any further
8 regarding the events that took place on
9 September 17th, 2012?

10 A. Yeah, as far as what's on
11 there.

12 Q. Okay. With respect to what's
13 on there, do you recall where you
14 physically were located at the time you
15 gave the order to clear the sidewalk?

16 A. It appears I was on the
17 sidewalk.

18 Q. All right. And do you recall
19 in what direction you were facing when you
20 gave that order?

21 A. Facing the protesters.

22 Q. Okay. Where were the
23 protesters located?

24 A. On the sidewalk.

25 Q. Okay. Were they located

1 CAPT. WILLIAM TAYLOR

2 anywhere else, other than the sidewalk?

3 A. I don't recall. I'd have to
4 look at it again.

5 Q. Okay. Would you like to watch
6 it again?

7 A. If they were somewhere else
8 other than the sidewalk, I'd like to watch
9 it again.

10 Q. Okay. My next question's going
11 to be whether or not there's a courtyard in
12 the vicinity of where the protesters were.

13 A. Okay. So, there was -- I saw
14 the courtyard. There were protesters --
15 there was a group of protesters in the
16 courtyard; there were some on the sidewalk
17 as well.

18 Q. Prior to the protesters being
19 in the courtyard and the sidewalk, do you
20 know where they were located?

21 A. No.

22 Q. Do you know whether or not
23 they're being moved from a different
24 location to that location or something
25 else?

1 CAPT. WILLIAM TAYLOR

2 A. I don't know.

3 Q. Okay. Where were the
4 protesters being directed to move to?

5 A. Off the sidewalk.

6 Q. Okay. Where to off the
7 sidewalk?

8 A. I guess onto the -- into the
9 plaza, into the courtyard.

10 Q. Okay.

11 MS. WEINSTEIN: Don't guess.

12 If you don't know, say "I don't
13 know."

14 A. Well, they were directed to
15 move from the sidewalk. So, the courtyard
16 would be off the sidewalk.

17 Q. Were they being directed to go
18 into the street?

19 A. No.

20 MS. WEINSTEIN: Off the record.

21 (Whereupon, a discussion was
22 held off the record.)

23 Q. In reviewing the video, did
24 that refresh your recollection of
25 Mr. Faraone's appearance in any manner?

1 CAPT. WILLIAM TAYLOR

2 A. I see him in the video.

3 Q. Okay. Having seen him in the
4 video, do you recall whether or not he was
5 wearing -- he's wearing anything that would
6 characterize him as a protestor?

7 A. No.

8 Q. No costume or anything like
9 that?

10 A. No.

11 Q. From watching the video, does
12 that refresh your recollection of whether
13 or not Mr. Faraone was carrying a placard
14 or a protest sign?

15 A. He was not.

16 Q. In reviewing the video, does
17 that refresh your recollection of whether
18 or not he had any political pins or
19 stickers on his person?

20 A. I did not see in the video.

21 Q. In reviewing the video, did you
22 observe Mr. Faraone or do you recall now
23 Mr. Faraone chanting or yelling anything as
24 a protest chant?

25 A. Not that I saw.

1 CAPT. WILLIAM TAYLOR

2 Q. In reviewing the video, does it
3 refresh your recollection of whether or not
4 Mr. Faraone was standing in a large crowd
5 of protesters?

6 MS. WEINSTEIN: Please don't
7 guess. Just what you know.

8 A. I don't know.

9 Q. In reviewing the video, does it
10 refresh your recollection whether or not
11 Mr. Faraone was blocking pedestrian traffic
12 on the sidewalk?

13 A. The first time I see
14 Mr. Faraone is when the other captain is
15 grabbing him in the video. I did not see
16 him prior to that.

17 Q. Okay. On the video, when the
18 other captain is grabbing him, as you
19 described, did that refresh your
20 recollection of whether or not there was
21 anyone else immediately next to Mr. Faraone
22 at that time?

23 A. No.

24 Q. It doesn't refresh your
25 recollection or there was no one else

1 CAPT. WILLIAM TAYLOR

2 immediately --

3 A. It doesn't refresh my
4 recollection.

5 Q. In reviewing the video, does
6 that refresh your recollection of whether
7 or not Mr. Faraone resisted arrest?

8 A. No.

9 Q. It doesn't refresh your
10 recollection or --

11 A. It does not refresh my
12 recollection.

13 Q. In reviewing the video, does it
14 refresh your recollection of whether or not
15 Mr. Faraone attempted to flee?

16 A. It does not appear in the video
17 that he attempted to flee.

18 Q. Does it appear in the video
19 that he resisted arrest?

20 A. I'd have to look at it again.

21 Q. Would you like to?

22 A. Sure.

23 (Whereupon, there was a brief
24 pause in testimony.)

25 Q. Captain, I'm just interrupting

1 CAPT. WILLIAM TAYLOR

2 for a second before we get anywhere. If
3 there comes a point in time where you want
4 me to stop it or you see --

5 A. Okay.

6 Q. -- something you want to
7 comment on, let me know so we can pause it;
8 we could get the timing on it as well.

9 A. Okay.

10 Q. Thank you.

11 MS. WEINSTEIN: Could I just
12 ask one quick question?

13 Did you hear someone, an
14 officer asking Mr. Faraone if he was
15 okay just now?

16 THE WITNESS: Yes.

17 MS. WEINSTEIN: Do you know who
18 that was, who that officer was?

19 THE WITNESS: It looked like it
20 was Captain Redmond.

21 MS. WEINSTEIN: Okay. And did
22 you hear any response from
23 Mr. Faraone?

24 THE WITNESS: He said -- he
25 nodded his head yes.

1 CAPT. WILLIAM TAYLOR

2 MS. WEINSTEIN: Thank you.

3 What number was that at?

4 MR. MANDELL: I'm sorry. I
5 just reset it. It was at the end of
6 the last clip, though, probably from
7 the last ten seconds of -- I just
8 rewound --

9 MS. WEINSTEIN: It's okay.
10 Which one are we looking at? 4358?

11 MR. MANDELL: Yes, that's
12 right.

13 MS. WEINSTEIN: Okay.

14 Q. Previously I believe the last
15 question I asked was whether or not
16 Mr. Faraone resisted arrest and you said
17 you wanted to look at the video to refresh
18 your recollection. And now that we've
19 watched the video again, does that refresh
20 your recollection at all of whether or not
21 Mr. Faraone resisted arrest?

22 A. No. The -- the brief portion
23 that I saw with Mr. Faraone in the picture,
24 I would say he did not resist arrest from
25 what I saw, but there was -- obviously

1 CAPT. WILLIAM TAYLOR

2 there was interaction that was not caught
3 on the camera.

4 Q. Did watching the video refresh
5 your recollection whether Mr. Faraone
6 walked on his own away from the -- after
7 being taken into custody?

8 A. I don't --

9 Q. Let me rephrase the question.
10 I didn't ask it very well.

11 Did watching the video refresh
12 your recollection of whether or not
13 Mr. Faraone was carried away from the scene
14 or whether or not he walked on his own?

15 A. It appeared to me that he
16 walked away on his own.

17 Q. Okay. Did he appear to be
18 doing so cooperatively and following
19 directions?

20 A. Yes.

21 Q. We're going to go through the
22 video another time, Captain. I'm going to
23 ask you to have your hand on the spacebar
24 here and whenever you see yourself or any
25 other officer or member of the New York

1 CAPT. WILLIAM TAYLOR

2 Police Department that you recognize, that
3 is interacting with Mr. Faraone in any
4 manner, to stop it, and at that point we
5 can read the timing and I'll ask you some
6 questions at that point.

7 A. Okay.

8 Q. Captain, if it would be all
9 right, I'd like to come around to the side
10 of the table where you are. Thank you.

11 All right. Captain, whenever
12 you're ready.

13 A. What do I hit?

14 Q. The spacebar here. That'll
15 start it.

16 A. That's me right there.

17 Q. Okay.

18 MR. MANDELL: We're at four
19 seconds and the captain just
20 identified himself on the right-hand
21 portion of the screen.

22 Q. Appears that you have a blue
23 and white bullhorn in your left hand; is
24 that correct, Captain?

25 A. Yes.

1 CAPT. WILLIAM TAYLOR

2 Q. Just stop it, Captain. Let's
3 go back a second.

4 A. If you're asking me who that
5 gentleman is --

6 Q. Yes.

7 A. He's a deputy inspector. I do
8 not know his name. He was there with me
9 that day. I never met him before.

10 Q. And that was at
11 approximately -- it's probably 24 seconds
12 because there was a slight delay before we
13 stopped it. But he's a deputy inspector?

14 A. Yes.

15 Q. Do you know what precinct he's
16 with?

17 A. No.

18 Q. Do you know anything else about
19 his assignment; who he reports to, anything
20 of that nature?

21 A. No.

22 Q. Anything else that you can tell
23 me about that deputy inspector?

24 A. No.

25 Q. Okay. All right. When you're

1 CAPT. WILLIAM TAYLOR

2 ready.

3 A. Captain Redmond.

4 Q. Okay. We're at -- hold on for
5 a second please?

6 A. 0034.

7 Q. 0034 and Captain Taylor just
8 identified Captain Redmond; is that right?

9 A. Yes.

10 Q. And in the center portion of
11 the screen, slightly off to the right-hand
12 side there's a New York Police Department
13 officer in a white shirt and blue cap
14 facing the direction of the camera. He's
15 about the middle point of the screen,
16 slightly off to the right-hand side; is
17 that correct, Captain?

18 A. Yes.

19 Q. Okay. That's Captain Redmond?

20 A. Yes.

21 Q. All right. You may proceed,
22 unless there's anything else you want
23 to . . .

24 (Whereupon, there was a brief
25 pause in testimony.)

1 CAPT. WILLIAM TAYLOR

2 Q. Captain, is that you again
3 speaking to a man in the suit?

4 A. Yes.

5 Q. All right. And this is at one
6 minute 27 seconds, approximately?

7 A. Yes.

8 Q. Do you know who that man in the
9 suit is?

10 A. No.

11 Q. Do you recall what you were
12 saying to him?

13 A. No.

14 Q. Do you recall what he was
15 saying to you?

16 A. No.

17 Q. Do you recall what role, if
18 any, he had with respect to this protest?

19 A. I believe he was an attorney
20 for the protesters.

21 Q. Okay. In the same frame, this
22 is again a minute and 27 seconds, there's a
23 New York Police Department officer in a
24 white shirt and a black cap wearing black
25 gloves that's pointing to the left --

1 CAPT. WILLIAM TAYLOR

2 bottom left corner of the frame. Is that
3 correct, Captain?

4 A. Yes.

5 Q. Do you recognize who that
6 individual is?

7 A. That's the same deputy
8 inspector I mentioned before.

9 Q. Okay. Do you recognize anyone
10 else that is in this frame, other than
11 yourself and that deputy inspector?

12 A. Captain Redmond right there.

13 MR. MANDELL: And just for the
14 purposes of identifying the record:
15 Captain Taylor has identified Captain
16 Redmond at one minute 27 seconds in
17 the upper right-hand portion of the
18 frame there's a New York Police
19 Department officer in a white shirt
20 and a blue cap, facing towards the
21 center of the screen.

22 Q. Is that correct, Captain
23 Taylor?

24 A. Yes.

25 Q. All right. Anyone else you

1 CAPT. WILLIAM TAYLOR

2 recognize in this frame, sir?

3 A. No.

4 Q. All right. You may proceed
5 when you're ready.

6 (Whereupon, there was a brief
7 pause in testimony.)

8 Q. Would you stop it?

9 A. Redmond.

10 Q. That's Redmond, okay. Thank
11 you.

12 (Whereupon, there was a brief
13 pause in testimony.)

14 Q. We're at one minute 39 seconds;
15 is that right?

16 A. Yes.

17 Q. All right.

18 MR. MANDELL: And again, it's
19 again Captain Redmond. He's walking
20 from the right-hand side of the
21 screen to the left, white shirt, blue
22 cap.

23 Q. Captain, do you recognize the
24 officer in the riot helmet in the
25 foreground?

1 CAPT. WILLIAM TAYLOR

2 A. No.

3 (Whereupon, there was a brief
4 pause in testimony.)

5 Q. Would you stop it? Just before
6 the frame where we stopped it there was an
7 African-American female officer in a blue
8 shirt and a blue cap that appears to be
9 speaking to Mr. Faraone or saying something
10 to him?

11 A. Does it show her face?

12 Q. It shows it for a brief second
13 right before it.

14 (Whereupon, there was a brief
15 pause in testimony.)

16 Q. Here we go. Are you able to
17 recognize her from that silhouette?

18 A. That's -- that's not the girl.
19 It's this one; right?

20 Q. No, no.

21 MS. WEINSTEIN: I don't think
22 she's African-American. I think
23 she's Hispanic.

24 MR. MANDELL: Is she? I'm
25 sorry.

1 CAPT. WILLIAM TAYLOR

2 A. I got to see it one more time.

3 Q. Okay. Let's do it one more
4 time. You ready, Captain?

5 A. Yeah.

6 (Whereupon, there was a brief
7 pause in testimony.)

8 A. This girl?

9 Q. Yes.

10 A. Elizabeth Rodriguez.

11 Q. Thank you.

12 A. I thought you meant the
13 other -- the girl -- keep going.

14 Q. Hold on one second. Elizabeth
15 Rodriguez, what is her rank?

16 A. Police officer.

17 Q. Okay. Do you know what
18 precinct she's affiliated with?

19 A. She's in Brooklyn South Task
20 Force.

21 MS. WEINSTEIN: What number is
22 that? 142.

23 MR. MANDELL: 142,
24 approximately.

25 Q. Okay. Captain, I'm going to

1 CAPT. WILLIAM TAYLOR

2 start it over -- not all over, but back at
3 140. There's going to be a few frames
4 where it shows two officers grabbing
5 Mr. Faraone. If you could stop it when you
6 see them.

7 (Whereupon, there was a brief
8 pause in testimony.)

9 A. All right. That's Redmond.

10 Q. So, Redmond's the --

11 A. White shirt.

12 Q. All right. This is at one
13 minute 55 seconds. And I'm sorry. Did you
14 say Captain Redmond?

15 A. Yes.

16 Q. Okay. Captain Redmond is the
17 New York Police Department officer in the
18 white shirt and blue hat that is holding
19 Mr. Faraone's left arm and in the
20 foreground there's another New York Police
21 Department officer in a blue shirt and a
22 riot helmet that's hanging onto
23 Mr. Faraone's right arm; is that correct,
24 Captain?

25 A. Yes.

1 CAPT. WILLIAM TAYLOR

2 Q. Do you recognize or are you
3 able to identify the officer in the --

4 A. I have to play it more.

5 Q. Okay.

6 (Whereupon, there was a brief
7 pause in testimony.)

8 A. I do not know who that is, but
9 the number on the back of the helmet is the
10 shield number.

11 Q. Okay.

12 A. I think it's 2097.

13 Q. Okay. Looking at the shot at
14 two minutes -- what is it? 18 or
15 16 seconds? I can't see it from here.

16 A. 2:18.

17 Q. 2:18, does this frame refresh
18 your recollection whether there was a
19 courtyard in the vicinity of the sidewalk?

20 A. Yes.

21 Q. And was there?

22 A. Yes.

23 Q. And does that appear to be
24 where the protesters are congregated?

25 MS. WEINSTEIN: Objection to

1 CAPT. WILLIAM TAYLOR

2 the form.

3 MR. MANDELL: The video speaks
4 for itself. I'll withdraw the
5 question, that's fine.

6 Q. All right. For the purposes of
7 identifying any other officers that were
8 directly involved with taking Mr. Faraone
9 into custody, we're going to watch this
10 last portion again.

11 A. Okay.

12 Q. Any time stop it if you see
13 someone you recognize.

14 (Whereupon, there was a brief
15 pause in testimony.)

16 A. Just, that's the shield number.
17 You could identify the cop by the shield
18 number. I have no idea who it is, but
19 looks like -- whether it's 2837, maybe.
20 2897. I don't know anybody else.

21 Q. Do you recognize anyone that's
22 in the crowd of police officers coming to
23 Mr. Faraone at that point?

24 A. In the seconds that follow two
25 minutes one second, there's a few officers.

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2 It happens very quickly, Captain. I'm
3 going to ask you to see if you could see
4 any of them.

5 (Whereupon, there was a brief
6 pause in testimony.)

7 A. That's Lieutenant Hanlon. He's
8 retired. The white shirt.

9 Q. Okay.

10 MS. WEINSTEIN: And that's at
11 two minutes three seconds.

12 A. H-a-n-l-o-n.

13 Q. I'm sorry. What was the time
14 code?

15 MS. WEINSTEIN: Two minutes --

16 A. 2:03.

17 Q. Thank you.

18 A. Deputy inspector; I don't know
19 his name; the same guy from before.

20 Q. Captain, in a few seconds it's
21 going to screen back to when Mr. Faraone is
22 surrounded by police officers. At that
23 point I want you to be prepared to stop it
24 and identify any officers you may recognize
25 at that point.

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2 (Whereupon, there was a brief
3 pause in testimony.)

4 Q. Do you recognize any of the --

5 A. That's Captain Redmond. That's
6 me.

7 Q. All right. Hold on.

8 MR. MANDELL: We're at three
9 minutes one second. Captain Taylor
10 just identified himself in the left
11 forefront of the frame.

12 Q. Your back is facing the camera;
13 correct, Captain?

14 A. Yes.

15 Q. Okay. And the plaintiff,
16 Christopher Faraone, is in the middle of
17 the screen; he's the only civilian depicted
18 in the screen; correct?

19 A. Yes.

20 Q. And Captain Redmond is on the
21 right side of the frame, and he's got
22 his -- what appears to be his right hand on
23 the plaintiff's left shoulder; is that
24 correct?

25 A. Correct.

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2 Q. There also appears to be two
3 New York Police Department police officers
4 behind Mr. Faraone, both of which are
5 wearing riot helmets; is that correct?

6 MS. WEINSTEIN: I'm going to
7 object. Obviously the video speaks
8 for itself.

9 MR. MANDELL: I'm getting
10 there. I'm just --

11 MS. WEINSTEIN: It's not
12 proper.

13 Q. Do you recognize either of the
14 officers in the riot helmets that are
15 immediately behind Mr. Faraone?

16 A. The guy in the sunglasses is
17 Sergeant Soldo. He's also retired.
18 S-o-l-d-o. The other -- this guy here, I
19 do not know who that is.

20 Q. Sergeant Soldo, do you know
21 what precinct he was affiliated with?

22 A. He was at Brooklyn South Task
23 Force.

24 Q. Do you know when about Sergeant
25 Soldo retired?

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2 A. It was well over a year ago.

3 Q. Okay. Did you testify that you
4 don't know the other individual?

5 A. That's correct, I don't know
6 the other individual.

7 Q. All right.

8 MS. WEINSTEIN: And that's
9 three minutes one second?

10 MR. MANDELL: Yes.

11 Q. Do you want to proceed,
12 Captain?

13 (Whereupon, there was a brief
14 pause in testimony.)

15 Q. Captain, I'm going to show you
16 one more video. Captain, what I'm going to
17 show you now is a video that we've been
18 using for the purposes of the deposition.
19 It's been identified as the video produced
20 by the plaintiff during the course of
21 discovery.

22 MS. WEINSTEIN: What is this
23 thing about? Arrest now?

24 MR. MANDELL: It's the digital
25 file. It says arrest, and then

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2 period, and then m-o-v, which is the
3 suffix.

4 MS. WEINSTEIN: Did you see
5 what -- something flashed across.

6 MR. MANDELL: It's the same as
7 this. It's --

8 MS. WEINSTEIN: Arrest?

9 MR. MANDELL: M-o-v is the type
10 of file. It's movie.

11 MS. WEINSTEIN: Okay.

12 MR. MANDELL: It's the type of
13 digital file it is.

14 Q. Again, Captain, what I'm going
15 to ask you to do is go through this video.
16 If you want to watch it through one time
17 first and then we could stop it the second
18 time through and you can identify anyone
19 additionally that you recognize that is
20 directly involved in taking Mr. Faraone
21 into custody, okay?

22 A. Uh-huh.

23 Q. Let me bring this closer to you
24 and I'll come back around. You could start
25 watching it the first time through?

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2 A. Do you want me to pause it as
3 we're going.

4 Q. No. Just watch it one time
5 through just to familiarize yourself and
6 then the second time through we'll pause
7 it.

8 (Whereupon, there was a brief
9 pause in testimony.)

10 Q. So, the second time through,
11 Captain, I'm going to ask you to stop it at
12 any point in time you see anyone --

13 A. All right.

14 Q. -- involved with Mr. Faraone.
15 Just as a point of reference, the first
16 time through, did you see Mr. Faraone at
17 any point in time during that video?

18 A. No.

19 Q. Okay. Let me do a little bit
20 more foundation, that way you can have
21 the -- a more productive time period.

22 In the prior video that we
23 watched, the video that was prepared by
24 TARU, did you notice whether Mr. Faraone
25 was wearing anything --

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2 A. Can we take a break, please?

3 MS. WEINSTEIN: Yes.

4 Q. Of course.

5 (Whereupon, a brief recess was
6 taken.)

7 Q. Captain, when we watched the
8 last video, did you notice whether
9 Mr. Faraone had anything on his head? Was
10 he wearing a hat?

11 A. Yes.

12 Q. What color was the hat?

13 A. I think it was red.

14 Q. Okay. What I'd like you to
15 do -- it seems like -- to me a red hat
16 would stand out in a crowd of people not
17 wearing hats. So, if you could try and
18 identify where Mr. Faraone may be in the
19 video based on that that may assist you.

20 MS. WEINSTEIN: Okay. But I'm
21 going to object.

22 MR. MANDELL: That's fine.

23 MS. WEINSTEIN: Just because
24 someone has a red hat does not make
25 it Mr. Faraone.

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2 MR. MANDELL: Okay.

3 MS. WEINSTEIN: So, if there's
4 something that, you know, catches
5 your eye, that's a red hat, fine,
6 but, you know, look for the other
7 indicia --

8 THE WITNESS: Okay.

9 MS. WEINSTEIN: -- who it is so
10 that you are 120 percent certain of
11 who it is, otherwise, I do not want
12 you guessing.

13 Q. Similarly, Captain, what I'd
14 ask is, based on watching the other video
15 and your familiarity with the scene, having
16 been there in person, geographically, by
17 where people are physically located, if you
18 could identify where -- who someone is,
19 that way as well. All right, Captain?

20 A. Yes.

21 MS. WEINSTEIN: I'm just going
22 to object to that last direction
23 because the captain has testified
24 that he does not have a recollection
25 of what occurred that day other than

1 CAPT. WILLIAM TAYLOR

2 what he has seen on the video.

3 MR. MANDELL: Okay.

4 MS. WEINSTEIN: I -- you know,
5 again, I do not want you guessing.

6 Q. You ready, Captain?

7 A. Yes.

8 (Whereupon, there was a brief
9 pause in testimony.)

10 Q. Captain, did you recognize
11 anyone that appeared to be Mr. Faraone in
12 that last video?

13 A. No.

14 (Continued on next page to
15 include jurat.)

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2 Q. Okay.

3 MR. MANDELL: Off the record.

4 (Whereupon, a discussion was
5 held off the record.)

6 Q. Captain, thank you for your
7 time. I have no further questions.

8 (Whereupon, at 4:21 p.m., the
9 examination of this witness was
10 concluded.)

11

12

13 CAPTAIN WILLIAM TAYLOR

14

15 Subscribed and sworn to before me

16 this _____ day of _____ 20____.

17

18 NOTARY PUBLIC

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1 CAPT. WILLIAM TAYLOR

2 **I N D E X**

3

4 EXAMINATION BY PAGE
5 MR. MANDELL 4

6

7 **INFORMATION AND/OR DOCUMENTS REQUESTED**

8 (NONE MARKED)

9

10 **E X H I B I T S**

11 (NONE MARKED)

12

13 **QUESTIONS MARKED FOR A RULING**

14 (NONE MARKED)

15

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1 CAPT. WILLIAM TAYLOR
2 C E R T I F I C A T E
3

4 STATE OF NEW YORK)
5 COUNTY OF BRONX) SS.:
6

7 I, SCOTT TORRANCE, a Notary Public
8 for and within the State of New York, do
9 hereby certify:

10 That the witness whose examination is
11 hereinbefore set forth was duly sworn and
12 that such examination is a true record of
13 the testimony given by that witness.

14 I further certify that I am not
15 related to any of the parties to this
16 action by blood or by marriage and that I
17 am in no way interested in the outcome of
18 this matter.

19 IN WITNESS WHEREOF, I have hereunto
20 set my hand this 31st day of January 2015.

21
22
23
24
25



SCOTT TORRANCE

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